

AGREEMENT

25281

12th
AGREEMENT made this 12th day of July, 1999, by and between ABDUL PRODUCTIONS II, INC., t/a Platinum (the Applicant) and DOWNTOWN CLUSTER OF CONGREGATIONS and DARLOW BOTHA (the Protestants).

WITNESSETH:

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control Board (ABC) is Applicant's application for a Class CN license for premises 915 F Street, N.W., ABC Application No. 25281; and

WHEREAS, the parties desire to enter into an agreement commemorating certain understandings regarding Applicant's operating plans;

NOW, THEREFORE, in consideration of the promises set forth below, the parties agree as follows:

1. Each night that Applicant is open for business, Applicant will clean the area behind the club, in the alley, as well as the area in front of the establishment, so as to leave both the front and rear areas of the establishment clear and clean of litter or debris. Applicant will seek to assure that litter, including flyers, on its side of the street going both ways, i.e., east to 9th Street and west to 10th Street, will be removed nightly as well upon closing.

2. During hours of operation Applicant will provide valet parking to its customers and patrons. (Hence it will during its operation have an adequate parking arrangement with a parking vendor to meet the demands presented for parking by patrons.)

Applicant will also have personnel available to escort any customer to their vehicle or the nearest metro (Gallery Place) who so requests such escort.

3. During hours of operation Applicant will have on the premises a minimum of 2 security persons, whose sole responsibility is monitoring of the peace, order and quiet of the establishment and its immediate environs.

If any arrests occur either within the establishment, or of patrons coming immediately from the establishment, copies of arrest reports received by Applicant will be provided to the Protestants by the operators of the establishment. Applicant will also notify the Protestants within a 24-hour period of any such arrest.

4. Applicant will join the Penn Quarter Neighborhood Association, and a representative will attend 3/4th of all Penn Quarter neighborhood meetings.

Applicant, either through the Penn Quarter Neighborhood Association, the D.C. Business Improvement District, or independently, will convene monthly meetings with other retail/business/hospitality and/or other users of F Street that may be appropriate, of the 900, 1000 and 1100 blocks of F Street. The purpose of these meetings will be to jointly address parking, security, streetscape, and public works needs for the F Street corridor. Appropriate adjacent businesses on 9th, 10th or 11th Street may be included in these meetings. The goal is enhanced revitalization, safety, and economic development of this area.

5. The establishment will close no later than 4:00 A.M. Any closings at a time later than 4:00 A.M. will be reported to the Protestants. On Sunday through Thursday, no persons will be allowed entrance to the establishment after 2:45 A.M., except on days on which special events are held or holidays. Last call for alcohol service will occur at ~~2:30~~^{2:45} A.M., and alcoholic services will cease at ~~2:45~~^{2:45} A.M. On Friday and Saturday, no persons will be allowed entrance to the establishment after 3:45 A.M., except on days on which special events are held or holidays. Last call for alcohol service will occur at ~~3:30~~^{2:30} A.M., and alcoholic services will cease at ~~3:45~~^{2:45} A.M.

6. All alcohol servers will have received training specifically for awareness regarding underage drinking and excessive drinking. Service will be refused to any patron who in the opinion of trained servers are intoxicated or in danger of being intoxicated. Signing encouraging safe drinking and driving will be visibly posted in areas of service, entrance and exit.

7. Applicant will notify the Protestants of any significant change in the manner of operations.

8. In consideration of, and in reliance upon, the commitments reflected in paragraphs 1 through 7 above, the Protestants will withdraw their objection to the Applicant's pending license application.

9. The parties further agree that any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the Protestants to petition the ABC Board for issuance of an order to show cause pursuant to 23 DCMR 1513.5.

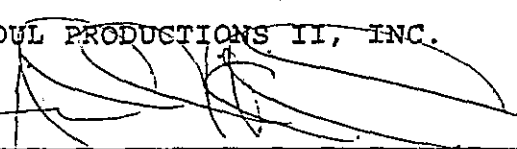
10. Applicant will file a written report with the Protestants by July 15th and January 15th of each year outlining the operations of the club, and a summary of its compliance with the points of this agreement.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the year and day first above written.


APPLICANT:

ABDUL PRODUCTIONS II, INC.

By


Abdul Khanu, President

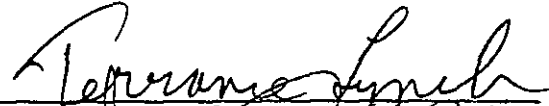
By

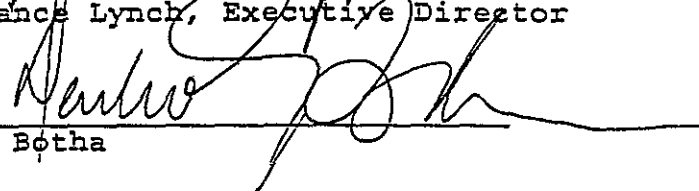

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PROTESTANTS:

THE DOWNTOWN CLUSTER OF CONGREGATIONS

By


Terrance Lynch, Executive Director


Darlow Botha

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of :

Abdul Productions II, Inc.
t/a Platinum

Application for a Retailer's License
CN (new)
at premises
915 F Street, N.W.
Washington, D.C.

Case No. 25281-99073P

Terrence Lynch, Executive Director, The Downtown Cluster of Congregations and Darlow G. Botha, Protestants

Dimitri P. Mallios, Esquire, on behalf of Applicant

**BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Allen Beach, Member
Ellen Oppenheimer, Esquire, Member
Max Salas, Member
Audrey E. Thompson, Member
Joseph Wright, Member**

ORDER ON WITHDRAWN PROTEST

The matter, having been protested, came before the Board for public hearing on June 16, 1999, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. Terrence Lynch, Executive Director, The Downtown Cluster of Congregations and Darlow G. Botha filed timely protest letters dated June 11, 1999.

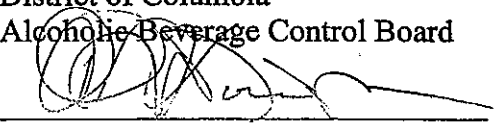
The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated July 12, 1999, the protestants have agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

Abdul Productions II, Inc.
t/a Platinum
Page two

Accordingly, it is this 27th day of October 1999, **ORDERED** that:

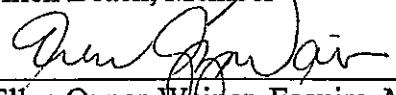
1. The protests of Terrence Lynch, Executive Director, The Downtown Cluster of Congregations and Darlow G. Botha, be, and the same hereby, are **WITHDRAWN**;
2. The application of Abdul Productions II, Inc. t/a Platinum for a retailer's class CN license (new) located at 915 F Street, N.W., Washington, D.C., be, and the same hereby, is **GRANTED**;
3. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**; and,
4. Copies of this Order shall be sent to the Protestants and the Attorney for the Applicant.

District of Columbia
Alcoholic Beverage Control Board


Roderic L. Woodson, Esquire, Chair

Vera Abbott, Member


Allen Beach, Member


Ellen Oppenheimer, Esquire, Member

Max Salas, Member


Audrey E. Thompson, Member

Joseph Wright, Member